



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Fred Zustak, et al.  
Filed : 1/31/2001  
Serial No. : 09/774,458  
Confirmation No. : 3440  
Group Art Unit : 2614  
Examiner : Beliveau  
Docket Number : SNY-P4143  
Title : Subscriber Class Television Channel With Class Member Programming

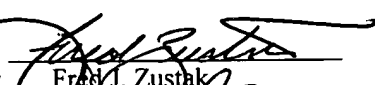
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

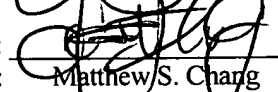
**DECLARATION UNDER RULE 1.131**

I, as a named inventor of the above patent application, do hereby declare and state as follows:

- That I believe that I am a true inventor of the invention claimed in the above-referenced patent application;
- That prior to August 28, 2000, I along with my co-inventors listed below conceived of the invention described in the above patent application;
- That prior to August 28, 2000, this invention conception was promptly and diligently documented in an invention disclosure that was submitted to Sony Electronics Inc.'s Intellectual Property Department;
- That this invention disclosure is identified by the Intellectual Property Department as disclosure 50P4143;
- That the invention disclosure form that I and my co-inventors used to document this conception is attached as Exhibit A to the Declaration of Harold Fujii, Esq., which he executed on April 29, 2005;
- That the invention disclosure form was signed by me and my co-inventors and received by the Intellectual property department prior to August 28, 2000 as evidenced by the "Received" stamp of Carla Krueger;
- That to the best of my knowledge and belief, the application was processed by the Intellectual Property Department as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That to the best of my knowledge and belief, the circumstances surrounding the preparation and filing of the patent application on January 31, 2001 by Miller Patent Services, Inc. is as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That all of the dates removed from Exhibit A to the declaration of Harold Fujii, Esq. are prior to the August 28, 2000; and

- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed:  Dated: June 16, 2005  
By: Fred J. Zustak

Signed:  Dated: 16 JUN 05  
By: Matthew S. Chang


Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Aditya Krishnan


Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Andrew M. Proehl

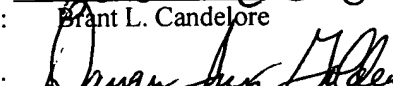
Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: David K. L. Yang

Signed:  Dated: June 16, 05  
By: Peter Rae Shintani

Signed:  Dated: 6/23/05  
By: Mark Kenneth Eyer

Signed:  Dated: 6/16/05  
By: Nicholas Colsey

Signed:  Dated: 6/16/05  
By: Brant L. Candalore

Signed:  Dated: 6/28/05  
By: Dayan Ivey Golden



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Filed : 1/31/2001  
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- That all of the dates removed from Exhibit A to the declaration of Harold Fujii, Esq. are prior to the August 28, 2000; and

- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Fred J. Zustak

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Matthew S. Chang

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Aditya Krishnan

Signed:  \_\_\_\_\_ Dated: 6/15/2005  
By: Andrew M. Proehl

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: David K. L. Yang

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Peter Rae Shintani

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
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Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Nicholas Colsey

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Brant L. Candelore

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Dayan Ivey Golden



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Inventor(s) : Fred Zustak, et al.  
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- That to the best of my knowledge and belief, the application was processed by the Intellectual Property Department as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That to the best of my knowledge and belief, the circumstances surrounding the preparation and filing of the patent application on January 31, 2001 by Miller Patent Services, Inc. is as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That all of the dates removed from Exhibit A to the declaration of Harold Fujii, Esq. are prior to the August 28, 2000; and

- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: \_\_\_\_\_  
By: Fred J. Zustak

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Matthew S. Chang

Dated: \_\_\_\_\_

Signed:   
By: Aditya Krishnan

Dated: 6/20/05

Signed: \_\_\_\_\_  
By: Andrew M. Proehl

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: David K. L. Yang

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Peter Rae Shintani

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Mark Kenneth Eyer

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Nicholas Colsey

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Brant L. Candelore

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Dayan Ivey Golden

Dated: \_\_\_\_\_



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING / FAX TRANSMISSION**

I hereby certify that this correspondence is, on the date shown below, being:

[X] deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[ ] transmitted by facsimile to the U.S. Patent and Trademark Office.

Applicant, Assignee or Reg. Representative: Jerry A. Miller, Reg. No. 30,779

Signature: 

Date: 7/14/2005

**PETITION TO ACCEPT RULE 131 DECLARATION BY ASSIGNEE  
ON BEHALF OF INVENTOR THAT CANNOT BE REACHED – 37 CFR 1.47**

Sir:

Applicants hereby petition to accept the declaration of Harold Fujii, Esq. on behalf of inventor David Yang, who after diligent efforts could not be reached to execute a Rule 131 declaration. It is believed that 37 CFR 1.47 is applicable. The Declaration of Harold Fujii, Esq. was executed by Mr. Fujii on April 29, 2005 and previously submitted to the U.S. Patent Office on May 5, 2005. A copy of Mr. Fujii's declaration, along with Exhibits A and B thereof, is attached hereto as Exhibit 1. The facts associated with this Petition are as follows:

S/N 09/774,458

Each of the remaining inventors has executed a Rule 131 declaration, the original of which is submitted with the accompanying Office Action Response. A copy of the executed Rule 131 declarations of the coinventors is attached hereto as Exhibit 2.

To the best of my knowledge and belief, Mr. Yang no longer works for the Assignees of the present application and left no contact information which is currently valid. I asked that the Assignee's Intellectual Property Department (IPD) inquire as to the most recent address for contacting Mr. Yang. Ms. Debrah Gee of IPD contacted the corporate Human Resources Department for the information. The inquiry and response received is provided herewith as Exhibit 3. The street address provided was the same address that was obtained independently by Ms. Carrie Merzbacher of IPD. To the best of my knowledge and belief, Exhibit 3 contains the last address of Mr. Yang known to the Assignees. The only other address known by the undersigned is the San Jose, CA address appearing on the originally executed declaration and power of attorney of record.

On June 27, 2005, I conducted an online search using Yahoo! people search for David Yang in San Diego. The results of that search are shown in Exhibit 4. I called the telephone number and reached an answering machine. I left a message indicating that I was trying to contact the David Yang that used to work for the Assignees. I asked that the recipient return the call collect if he was the particular David Yang I was looking for. No returned call or other contact was ever received.

On June 28, 2005 I mailed a copy of the enclosed Rule 131 declaration to Mr. Yang at the Stony Peak Drive, San Diego, CA address listed in Exhibit 3 as well as the prior known address of Mr. Yang at Redwood Lake Court in San Jose, CA. Each of these documents were accompanied by a letter asking Mr. Yang to review the enclosed declaration of Mr. Fujii, to review the Rule 131 declaration, sign the Rule 131 declaration and return it in a self addressed and stamped envelope provided for that purpose. Both of these letters were sent via Express Mail with a return receipt requested and signature required for delivery.



On June 29, 2005 I received a telephone call from Ms. Danielle Brandt who works at the apartment complex where the Stony Peak Drive address is located. Ms. Brandt told me that a mailman was attempting to deliver my letter and that Mr. Yang does not live at that address. Ms. Brandt further stated that her records indicated that Mr. Yang has never lived in that apartment complex. I then spoke with the mailman, a Mr. Magee, who stated that he would return the envelope to me.

Both of the letters and accompanying declarations sent on June 28, 2005 were returned unopened and undelivered to Mr. Yang, with the return receipt in place on the envelope. Exhibits 5 and 6 are copies of the returned and unopened envelopes. These envelopes are available for inspection upon request, in connection with this petition.

On July 1, 2005, I mailed another copy of the enclosed Rule 131 declaration to Mr. Yang at the Post Office Box address referenced in Exhibit 3. This document was also accompanied by a letter asking Mr. Yang to review the enclosed declaration of Mr. Fujii and to review the Rule 131 declaration, sign the Rule 131 declaration and return it in a self addressed and stamped envelope provided for that purpose. This letter was also sent via Express Mail with a return receipt requested and signature required for delivery.

This letter and accompanying declarations sent on July 1, 2005 was also returned unopened and undelivered to Mr. Yang, with the return receipt in place on the envelope. Exhibit 7 is a copy of the returned and unopened envelope, which is also available for inspection upon request, in connection with this petition.

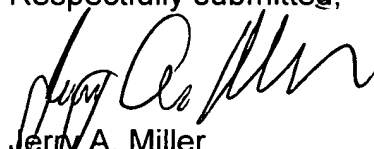
It is submitted that the undersigned has diligently attempted to locate Mr. Yang without success and it is requested that this petition be granted and the declaration of Mr. Harold Fujii, Esq. be accepted on behalf of the Assignees in place of Mr. Yang's declaration. The Assignees of record are assignees of full interest in the present application and clearly have a proprietary interest in securing a patent for the invention of the present application. Granting of this petition will enable Applicants to readily overcome one or more cited references without need to amend the claims or need to present arguments which might later be used to interpret the scope of any patent

granted on the present application. Accordingly, it is submitted that granting of this petition is appropriate. This petition is believed to fully comply with the requirements of 37 CFR 1.47, which is believed to be the applicable rule, even though 37 CFR 1.47 is worded in terms more appropriate to the signing of patent application's initial declaration.

Should any additional information be required, the undersigned can be contacted at the contact information below.

The fee for this petition is enclosed via a credit card payment form which authorizes payment of \$200 per 37 CFR 1.17(g) as specified by 37 CFR 1.47, but if the fee submitted is incorrect, the Director is requested to charge any underpayment or credit any overpayment to deposit account 501267.

Respectfully submitted,



Jerry A. Miller  
Registration No. 30,779

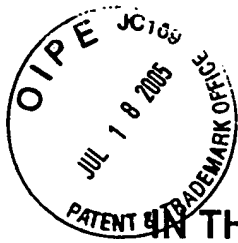
Dated: 7/14/2005

Please Send Correspondence to:

Jerry A. Miller  
Miller Patent Services  
2500 Dockery Lane  
Raleigh, NC 27606  
Phone: (919) 816-9981  
Fax: (919) 816-9982

Customer Number 24337

S/N 09/774,458



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Inventor(s) : Zustak, et al.  
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 Examiner : Beliveau  
 Docket Number : SNY-P4143  
 Title : Subscriber Class Television Channel With...

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**DECLARATION OF HAROLD FUJII**

I, Harold Fujii, do hereby declare and state as follows:

- That I am authorized to sign this document by both Sony Corporation and Sony Electronics Inc., the assignees of record of this application;
- That I am Vice President and Chief Intellectual Property Counsel for the Intellectual Property Department serving Sony Electronics Inc. (IPD), and was employed by Sony Electronics Inc. in a management capacity as well as the capacity of Patent Attorney prior to August 28, 2000 – the apparent effective filing date of the Novak reference cited in the present application (based upon the provisional filing date);
- That prior to August 28, 2000, the inventors of the present application submitted an invention disclosure form describing the present invention to IPD;
- That this invention disclosure is identified by IPD as disclosure 50P4143;
- That the invention disclosure form is attached as Exhibit A hereto;
- That the attached invention disclosure form was signed by the inventors and received by IPD prior to August 28, 2000 as evidenced by the "Received" stamp

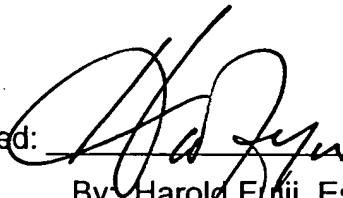
S/N 09/774,458

of Carla Krueger;

- That at the time, Carla Krueger served as a paralegal in IPD, and she was, in part, responsible for logging in new invention disclosures;
- That prior to August 28, 2000, the IPD patent committee diligently reviewed this invention disclosure in their normal course of business and sent the invention disclosure along with seventeen others to Miller Patent Services, Inc. for preparation of patent applications;
- That this invention disclosure was received by Miller Patent Services, Inc. simultaneously with eighteen other invention disclosures as evidenced by the letter to Carla Krueger from Catherine Miller, a manager at Miller Patent Services, Inc. labeled Exhibit B;
- That Exhibit B indicates that Miller Patent Services, Inc. references this invention disclosure by docket number SNY-P4143;
- That all eighteen of the invention disclosures listed on Exhibit B were generated at approximately the same time;
- That Miller Patent Services, Inc. is a solo practice firm operated by Jerry A. Miller, of record;
- That Mr. Miller has informed me that he traveled to San Diego and met with some of the inventors named on this application on September 27, 2000 and on November 13, 2000, in order to facilitate preparation and filing of this application as well as others of the eighteen listed on Exhibit B;
- That IPD indicated no priority in filing any of these patent applications over any of the others;
- That certain of these eighteen invention disclosures were related to each other, which in part dictated the order of preparation of the applications;
- That Miller Patent Services, Inc. was clearly diligent in preparation and filing the present patent application on January 31, 2001;
- That Miller Patent Services, Inc.'s diligence is evidenced by the fact that patent applications were prepared and filed for ten of the other eighteen invention

- disclosures listed on Exhibit B before the filing date of the present application;
- That the present application was the eleventh of the eighteen disclosures which was filed;
  - That all but two of the eighteen invention disclosures were filed within approximately the five weeks subsequent to filing of this application;
  - That all dates removed from Exhibit A are prior to the August 28, 2000; and
  - That I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: \_\_\_\_\_



By: Harold Fujii, Esq.  
Vice President and Chief IP Counsel  
Sony Electronics Inc.

Dated: \_\_\_\_\_

4/29/2005

Please Send Correspondence to:  
Miller Patent Services  
2500 Dockery Lane  
Raleigh, NC 27606  
Phone: (919) 816-9981  
Fax: (919) 816-9982

Customer Number 24337

S/N 09/774,458



RECEIVED

EXHIBIT **A**

1 of \_\_\_\_\_

Sony Confidential

## INVENTION DISCLOSURE FORM

Sony Confidential

Note: Detailed instructions for completing this form can be found in Appendix V of Sony's Patent Guide for Engineers and Inventors.

## I. IDENTIFICATION

IPD Case #: **50P4143**  
(IPD use only)

1a. Short Descriptive Title of the Invention:

A FAMILY CHANNEL

1b. Short Summary of the Invention:

A WAN of STB's having a common leased / own channel for providing a virtual presence into each members daily activities.

2. Name of Responsible Patent Coordinator (if any):

Business Address:

Business Phone/Fax:

Business Email Address:

3. Identify all persons who contributed to the present invention including persons from other Sony Divisions, Sony Japan and Outside Companies. Final determination of inventorship is a legal question which will be resolved at a later time.

(1)

Full Legal Name: FREDERICK J. ZUSTAK  
Home Address: 15594 RIPARIAN ROAD  
Citizenship: US (If Japanese, please provide name in Kanji)  
Business Address (include mail drop): 16450 WEBERBARNARD DR. HZ 7190  
Business Phone/Fax: 958-942-7117 1 858-942-7120  
Business Email Address: FRED.ZUSTAK@AM.SONY.COM  
Division / Company / Location: IPD ISEZ 1 SAN DIEGO  
Budget code:  
☒ Sony Employee ☐ Intern ☐ Contractor/Consultant ☐ Temp. ☐ Other:  
Manager's Name: HAROLD FUJI  
Business Address: SAN JOSE  
Business Phone/Fax: 908-995-4998  
Business Email Address:

NOTIFIED PATENT DIVISION  
IF N SENT BACK  
NOTIFIED PATENT DIVISION



1 of \_\_\_\_

Sony Confidential

**INVENTION DISCLOSURE FORM**

Sony Confidential

*Note: Detailed instructions for completing this form can be found in Appendix V of Sony's Patent Guide for Engineers and Inventors.***I. IDENTIFICATION**IPD Case #: \_\_\_\_\_  
(IPD use only)

1a. Short Descriptive Title of the Invention:

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1b. Short Summary of the Invention:

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2. Name of Responsible Patent Coordinator (if any): Ana Reyes (NEA) / Peter Shintani (VEA)

Business Address: MZ 7335 / MZ 7250

Business Phone/Fax: (858) 942-2793 – (858) 945-5502 / (858) 942-4060 – (858) 945-9149

Business Email Address: ana.reyes@am.sony.com / peter.shintani@am.sony.com

3. Identify all persons who contributed to the present invention including persons from other Sony Divisions, Sony Japan and Outside Companies. Final determination of inventorship is a legal question which will be resolved at a later time.

(1)

Full Legal Name: Matthew S. Chang

Home Address: 9282 Adolphia St., San Diego, CA 92129-3580

Citizenship: USA (If Japanese, please provide name in Kanji)

Business Address (include mail drop): 16530 Via Esprillo, MZ 7260, San Diego, CA 92127

Business Phone/Fax: (858) 942-4156 / (858) 942-9200

Business Email Address: matthew.chang@am.sony.com

Division / Company / Location: VEA / SEL / Sony Technology Center

Budget code: 5215 7805009

☒ Sony Employee    ☐ Intern    ☐ Contractor/Consultant    ☐ Temp.    ☐ Other:

Manager's Name: Ian Matthews

Business Address: 16530 Via Esprillo, MZ 7260, San Diego, CA 92127

Business Phone/Fax: (858) 942-4665 / (858) 942-9200

Business Email Address: ian.matthews@am.sony.com

(2)

Full Legal Name:	Aditya Krishnan
Home Address:	10641 Paseo Allegra Ave., San Diego, CA 92127
Citizenship:	USA (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7190, San Diego, CA 92127
Business Phone/Fax:	(858) 942-3055 / (858) 942-7120
Business Email Address:	aditya.krishnan@am.sony.com
Division / Company / Location:	Intellectual Property Dept. / SEL / STC
Budget Code:	100-720-2720
<input checked="" type="checkbox"/> Sony Employee <input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :	
Manager's Name:	Fred Zustak
Business Address:	16530 Via Esprillo, MZ 7190, San Diego, CA 92127
Business Phone/Fax:	(858) 942-7117 / (858) 942-7120
Business Email Address:	fred.zustak@am.sony.com

(3)

Full Legal Name:	Andrew M. Proehl
Home Address:	3650 Fillmore St., #102, San Francisco, CA 94123
Citizenship:	USA (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	Sony Design Center, 2 Bryant St., MD159, San Francisco, CA 94105
Business Phone/Fax:	(415) 357-6129 / (415) 357-6148
Business Email Address:	andy.proehl@am.sony.com
Division / Company / Location:	Design Center / SEL / San Francisco
Budget Code:	100 770-2806
<input checked="" type="checkbox"/> Sony Employee <input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :	
Manager's Name:	Mic Tsuchiya
Business Address:	SEL, Design Center, Park Ridge, NJ
Business Phone/Fax:	(201) 930-7697 / (201) 930-7638
Business Email Address:	mic.tsuchiya@am.sony.com

(4)

Full Legal Name:	David K. L. Yang
Home Address:	1340 Redwood Lake Ct., San Jose, CA 95131
Citizenship:	USA (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7340, San Diego, CA 92127
Business Phone/Fax:	(858) 942-5157 / (858) 942-9207
Business Email Address:	david.yang@am.sony.com
Division / Company / Location:	NEA / SEL / STC
Budget Code:	5180-7805004
<input checked="" type="checkbox"/> Sony Employee <input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :	
Manager's Name:	Nick Colsey
Business Address:	16530 Via Esprillo, MZ 7340, San Diego, CA 92127
Business Phone/Fax:	(858) 942-2753 / (858) 942-9207
Business Email Address:	nick.colsey@am.sony.com



(5)

Full Legal Name:	Frederick J. Zustak
Home Address:	15594 Riparian Rd., Poway, CA 92064
Citizenship:	USA (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7190, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-7117 / (858) 942-7120
Business Email Address:	fred.zustak@am.sony.com
Division / Company / Location:	Intellectual Property Dept. / SEL / STC
Budget Code:	100-720-2720
<input checked="" type="checkbox"/> Sony Employee	<input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :
Manager's Name:	Harold T. Fujii
Business Address:	3300 Zanker Rd., MD SJ1C5, San Jose, CA 95134-1901
Business Phone/Fax:	(408) 955-4998 / (408) 955-5490
Business Email Address:	harold.fujii@am.sony.com

(6)

Full Legal Name:	Peter Rae Shintani
Home Address:	15616 Bernardo Center Dr., San Diego, CA 92127
Citizenship:	Canada (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7250, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-4060 / (858) 942-5502
Business Email Address:	peter.shintani@am.sony.com
Division / Company / Location:	VEA / SEL / Sony Technology Center
Budget Code:	5215 7805009
<input checked="" type="checkbox"/> Sony Employee	<input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :
Manager's Name:	Ian Matthews
Business Address:	16530 Via Esprillo, MZ 7250, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-4665 / (858) 942-9200
Business Email Address:	ian.matthews@am.sony.com

(7)

Full Legal Name:	Mark Kenneth Eyer
Home Address:	10525 Canyon Lake Dr., San Diego, CA 92131
Citizenship:	USA (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7340, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-7130 / (858) 942-9000
Business Email Address:	mark.eyer@am.sony.com
Division / Company / Location:	NEA / SEL / STC
Budget Code:	
<input checked="" type="checkbox"/> Sony Employee	<input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :
Manager's Name:	Henry Derovanessian
Business Address:	16530 Via Esprillo, MZ 7145, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-2790 / (858) 942-9000
Business Email Address:	henry.derovanessian@am.sony.com

(8)

Full Legal Name:	Nicholas Colsey
Home Address:	2534 Via Pisa, Del Mar, CA 92014
Citizenship:	UK (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7340, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-2858 / (858) 942-9207
Business Email Address:	nick.colsey@am.sony.com
Division / Company / Location:	NEA / SEL / STC
Budget Code:	
<input checked="" type="checkbox"/> Sony Employee <input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :	
Manager's Name:	
Business Address:	
Business Phone/Fax:	
Business Email Address:	

(9)

Full Legal Name:	Brant L. Candelore
Home Address:	10124 Quail Glen Way, Escondido, CA 92029-6502
Citizenship:	USA (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7300, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-5776 / (858) 942-9207
Business Email Address:	brant.candelore@am.sony.com
Division / Company / Location:	NEA / SEL / STC
Budget Code:	
<input checked="" type="checkbox"/> Sony Employee <input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :	
Manager's Name:	Henry Derovanessian
Business Address:	16530 Via Esprillo, MZ 7145, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-2790 / (858) 942-9000
Business Email Address:	henry.derovanessian@am.sony.com

(10)

Full Legal Name:	Dayan Ivy Golden
Home Address:	6122 Mesita Dr., San Diego, CA 92115
Citizenship:	USA (If Japanese, please provide name in Kanji)
Business Address (include mail drop):	16530 Via Esprillo, MZ 7335, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-4003 / (858) 942-9207
Business Email Address:	dayan.golden@am.sony.com
Division / Company / Location:	NEA / SEL / STC
Budget Code:	5180 1075024
<input checked="" type="checkbox"/> Sony Employee <input type="checkbox"/> Intern <input type="checkbox"/> Contractor/Consultant <input type="checkbox"/> Temp. <input type="checkbox"/> Other :	
Manager's Name:	Yosuke Yasebe
Business Address:	16530 Via Esprillo, MZ 7335, San Diego, CA 92127-1804
Business Phone/Fax:	(858) 942-2543 / (858) 942-9207
Business Email Address:	yosuke.yasebe@am.sony.com

(Use Additional Inventors sheet if necessary)

**II. BACKGROUND INFORMATION**

1. Do you believe this invention was developed while working under or in the performance of experimental, developmental or research work called for by a Government Contract or upon the understanding that a Government Contract would be awarded?

☐ NO ☐ YES

2. Has your invention been disclosed to anyone outside of Sony in a speech, exhibit, presentation, product, product manual, report, lecture, trade show, technical article, publication or otherwise?

☐ NO ☐ YES

3. Is this invention related to any previous Sony Invention Disclosures of which you are aware (made by you or someone else)?

☐ NO ☐ YES

4. If you responded "YES" to any of questions 1-3, please explain below:

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5. Name of product(s) or project(s) for which this invention was developed:

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6. When do you expect a product incorporating this invention to be sold, offered for sale or shown to someone outside of Sony? (If a product or prototype has already been sold, offered for sale or shown, please identify the earliest date this happened.):

7. Has a working model of the invention been built and tested (or appropriate software been written)?

☐ NO ☐ YES: If yes, who has witnessed a demonstration, and when?

---

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8. List below any patents, publications, articles, texts, products, etc. which describe technology similar to your invention including reference material which may be useful in understanding the background technology of your invention: (Include a copy of each item to IPD. Please include copies of all bibliographical information.)

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### III. DESCRIPTION OF THE INVENTION

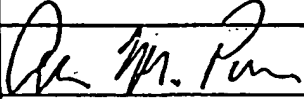
Provide a concise technical description of your invention in the format outlined below on the following pages.

- 1: Explain the problems, issues or needs which led to the invention, and explain how others have addressed these problems, issues or needs.
  
- 2: Describe your invention in terms of how it solves the problems described in paragraph 1. Specifically identify the new or novel features of your invention. Describe the construction and operation of the invention including drawings (flow charts, schematics, block diagrams, mechanical drawings, photographs, etc.) You may attach documentation in the form of letters, memos, engineering notebook pages, etc. if available, or you may use as many invention disclosure data sheets as necessary. Be sure each page is signed, dated and witnessed.
  
- 3: If there is more than one way to implement your invention, describe the "Best Mode" or your personal preference as to how to *best* implement, build, produce, or use your invention (e.g. preferred parts, materials, techniques, etc. which you feel are best in practicing your invention). Each submitter's opinion is important here, even if there is disagreement. Please list anything you think will make the invention better in any way.

- 4: Briefly describe any alternate uses, variations or modifications of your invention, if any, which you contemplate.

Signature of Submitter(s)		read and understood by: Signatures of Witnesses (at least two witnesses preferred)	
<i>Daryn Golden</i>	Date	<i>J. Zostata</i>	Date
<i>[Signature]</i>	Date		Date
<i>Peter Shuntani</i>	Date		Date
<i>Mark H. Eyer</i>	Date		Date
<i>Grant Condeore</i>	Date		Date
<i>Jared Zostata</i>	Date	<i>Antp/Mh</i>	Date
<i>Antp/Mh</i>	Date		Date
<i>[Signature]</i>	Date		Date
<i>[Signature]</i>	Date		Date
	Date		Date
	Date		Date

- 4: Briefly describe any alternate uses, variations or modifications of your invention, if any, which you contemplate.

Signature of Submitter(s)		Read and understood by: Signatures of Witnesses (at least two witnesses preferred)	
	Date		Date
	Date		Date
	Date		Date
	Date		Date
	Date		Date
	Date		Date
	Date		Date
	Date		Date
	Date		Date
	Date		Date



wide area network of STB's having a common leased/owned channel (for providing a virtual presence into each others day to day activities).

The system of the present invention includes a plurality of STB's each having at least one video and/or audio input to capture the STB owners activities. Each STB is in bidirectional communication with an MOS/cable service provider.

The cable service provider ~~also~~ arbitrates video & audio data between the members of the family channels in accordance with predefined set of operating parameters.

The

In one embodiment, the MOS permits members to post/archive videos, individual calendars, and the like. In another embodiment, real time video can be streamed to permit a virtual presence of <sup>remote</sup> members to a local member event (e.g. wedding, birthday party, birth, funeral, vacation, etc.).



EXHIBIT **B**

Name: Carla Krueger  
Organization: SONY IPD  
Fax: 201-930-6854  
From: MILLER PATENT SERVICES, INC.  
Date: AUGUST 31, 2000  
Subject: RECEIPT OF INVENTION DISCLOSURES  
Pages: 1  
Comments:

Dear Carla,

We have received the following invention disclosures for preparing and filing patent applications. Our reference numbers are listed below.

<del>50P4143</del>	MPS# <del>SNY-P4143</del>
50P4144	SNY-P4144
50P4145	SNY-P4145
50P4146	SNY-P4146
50P4147	SNY-P4147
50P4148	SNY-P4148
50P4149	SNY-P4149
50P4150	SNY-P4150
50P4151	SNY-P4151
50P4152	SNY-P4152
50P4153	SNY-P4153
50P4154	SNY-P4154
50P4162	SNY-P4162
50P4163	SNY-P4163
50P4164	SNY-P4164
50P4165	SNY-P4165
50P4166	SNY-P4166
50P4169	SNY-P4169

As per instruction from Fred Zustak, Esq., Managing Attorney, we will make every effort to file these applications within 6 months from receipt.

Sincerely,

Catherine Miller  
Manager, Miller Patent Services, Inc.

From the desk of...  
<Name>  
<Organization>  
<City>, <State> <ZIP Code>





## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Patent Application of:

Inventor(s) : Fred Zustak, et al.  
 Filed : 1/31/2001  
 Serial No. : 09/774,458  
 Confirmation No. : 3440  
 Group Art Unit : 2614  
 Examiner : Beliveau  
 Docket Number : SNY-P4143  
 Title : Subscriber Class Television Channel With Class Member Programming

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**DECLARATION UNDER RULE 1.131**

I, as a named inventor of the above patent application, do hereby declare and state as follows:

- That I believe that I am a true inventor of the invention claimed in the above-referenced patent application;
- That prior to August 28, 2000, I along with my co-inventors listed below conceived of the invention described in the above patent application;
- That prior to August 28, 2000, this invention conception was promptly and diligently documented in an invention disclosure that was submitted to Sony Electronics Inc.'s Intellectual Property Department;
- That this invention disclosure is identified by the Intellectual Property Department as disclosure 50P4143;
- That the invention disclosure form that I and my co-inventors used to document this conception is attached as Exhibit A to the Declaration of Harold Fujii, Esq., which he executed on April 29, 2005;
- That the invention disclosure form was signed by me and my co-inventors and received by the Intellectual property department prior to August 28, 2000 as evidenced by the "Received" stamp of Carla Krueger;
- That to the best of my knowledge and belief, the application was processed by the Intellectual Property Department as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That to the best of my knowledge and belief, the circumstances surrounding the preparation and filing of the patent application on January 31, 2001 by Miller Patent Services, Inc. is as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That all of the dates removed from Exhibit A to the declaration of Harold Fujii, Esq. are prior to the August 28, 2000; and



- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: <u>[Signature]</u>	Dated: <u>June 16, 2005</u>
By: Fred J. Zustak	
Signed: <u>[Signature]</u>	Dated: <u>16 JUN 05</u>
By: Matthew S. Chang	
Signed: _____	Dated: _____
By: Aditya Krishnan	
Signed: _____	Dated: _____
By: Andrew M. Proehl	
Signed: _____	Dated: _____
By: David K. L. Yang	
Signed: <u>Peter Shintani</u>	Dated: <u>June 16, 05</u>
By: Peter Rae Shintani	
Signed: <u>[Signature]</u>	Dated: <u>6/23/05</u>
By: Mark Kenneth Eyef	
Signed: <u>[Signature]</u>	Dated: <u>6/16/05</u>
By: Nicholas Colsey	
Signed: <u>[Signature]</u>	Dated: <u>6/16/05</u>
By: Brant L. Candelore	
Signed: <u>[Signature]</u>	Dated: <u>6/28/05</u>
By: Dayan Ivey Golden	



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:

Inventor(s) : Fred Zustak, et al.  
Filed : 1/31/2001  
Serial No. : 09/774,458  
Confirmation No. : 3440  
Group Art Unit : 2614  
Examiner : Beliveau  
Docket Number : SNY-P4143  
Title : Subscriber Class Television Channel With Class Member Programming

-----  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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- That this invention disclosure is identified by the Intellectual Property Department as disclosure 50P4143;
- That the invention disclosure form that I and my co-inventors used to document this conception is attached as Exhibit A to the Declaration of Harold Fujii, Esq., which he executed on April 29, 2005;
- That the invention disclosure form was signed by me and my co-inventors and received by the Intellectual property department prior to August 28, 2000 as evidenced by the "Received" stamp of Carla Krueger;
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- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: \_\_\_\_\_  
By: Fred J. Zustak

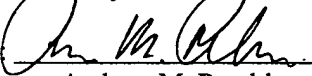
Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Matthew S. Chang

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Aditya Krishnan

Dated: \_\_\_\_\_

Signed:   
By: Andrew M. Proehl

Dated: 6/15/2005

Signed: \_\_\_\_\_  
By: David K. L. Yang

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Peter Rae Shintani

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Mark Kenneth Eyer

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Nicholas Colsey

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Brant L. Candelore

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_  
By: Dayan Ivey Golden

Dated: \_\_\_\_\_



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re Patent Application of:**

Inventor(s) : Fred Zustak, et al.  
Filed : 1/31/2001  
Serial No. : 09/774,458  
Confirmation No. : 3440  
Group Art Unit : 2614  
Examiner : Beliveau  
Docket Number : SNY-P4143  
Title : Subscriber Class Television Channel With Class Member Programming

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER RULE 1.131**

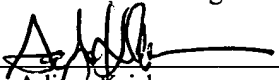
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- That prior to August 28, 2000, I along with my co-inventors listed below conceived of the invention described in the above patent application;
- That prior to August 28, 2000, this invention conception was promptly and diligently documented in an invention disclosure that was submitted to Sony Electronics Inc.'s Intellectual Property Department;
- That this invention disclosure is identified by the Intellectual Property Department as disclosure 50P4143;
- That the invention disclosure form that I and my co-inventors used to document this conception is attached as Exhibit A to the Declaration of Harold Fujii, Esq., which he executed on April 29, 2005;
- That the invention disclosure form was signed by me and my co-inventors and received by the Intellectual property department prior to August 28, 2000 as evidenced by the "Received" stamp of Carla Krueger;
- That to the best of my knowledge and belief, the application was processed by the Intellectual Property Department as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That to the best of my knowledge and belief, the circumstances surrounding the preparation and filing of the patent application on January 31, 2001 by Miller Patent Services, Inc. is as explained in the declaration of Harold Fujii, Esq. which he signed on April 29, 2005;
- That all of the dates removed from Exhibit A to the declaration of Harold Fujii, Esq. are prior to the August 28, 2000; and

- I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Fred J. Zustak

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Matthew S. Chang

Signed:  Dated: 6/20/05  
By: Aditya Krishnan

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Andrew M. Proehl

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: David K. L. Yang

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Peter Rae Shintani

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Mark Kenneth Eyer

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Nicholas Colsey

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Brant L. Candelore

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
By: Dayan Ivey Golden

**Gee, Deborah (LAW)**

---

**From:** Gee, Deborah (LAW)  
**Sent:** Wednesday, June 29, 2005 9:32 AM  
**To:** Gallucci-Buerkle, Cindy  
**Subject:** RE: Last known address  
**Importance:** High



Thank you so much for this assistance.  
Debbie

-----Original Message-----

**From:** Gallucci-Buerkle, Cindy  
**Sent:** Wednesday, June 29, 2005 9:23 AM  
**To:** Gee, Deborah (LAW)  
**Subject:** RE: Last known address

Hi Debbie,

I have a David K. Yang who use to work for Sony. I do not have any middle initials. His home address is:

**Home Address:**

**11998 Stoney Peak Dr**

**Apt. #834**

**San Diego, CA 92128**

**Mailing Address:**

**P.O. Box 270786**

**San Diego, California 92198**

Cyndi

-----Original Message-----

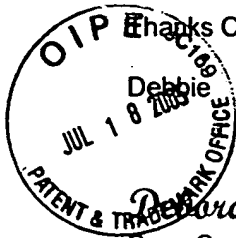
**From:** Gee, Deborah (LAW)  
**Sent:** Wednesday, June 29, 2005 11:13 AM  
**To:** Gallucci-Buerkle, Cindy  
**Subject:** Last known address  
**Importance:** High

Hello Cindy,

Hope all is well with you and yours and they're not working you tooooo hard!

We're looking to find a last known address for an inventor who is no longer with Sony. His name is: David K. L. Yang.

Any assistance you could render, would be greatly appreciated by our office.



Thanks Cindy,

Debbie

*Deborah Gee*

Sony Corporation of America

Patent Secretary

Intellectual Property Department

16450 West Bernardo Drive, MZ 7190

San Diego, CA 92127

☞☞ Phone: 858-942-2418 Fax: 858-942-7120

☞☞ Email: [deborah.gee@am.sony.com](mailto:deborah.gee@am.sony.com)





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New User?  
Sign Up

Search  
the Web

**EXHIBIT 4**  
People Search Home

## Your People Search:

[Create / Edit My Listing - F](#)

first David last Yang city San Diego state California

## SPONSOR RESULTS BY INTELIUS ([What's this?](#))

- **David Yang - More Information Available.** Address History, Criminal C  
Law Suits, Judgments, Bankruptcy, Liens, Property Value, Asset Search, Aliases,  
Roommates and Relatives, Marriage Records and More.  
[www.intelius.com](http://www.intelius.com)

## Detailed Information

Your Search: **David Yang** ([New Search](#))

### David Yang

3950 Mahaila Ave  
San Diego, CA 92122-5742 ([map](#))  
Tel.: (858) 457-7655 ([call this number](#))

*Left Message  
6/27/05  
[Signature]*

**Tools:** [Add to my Yahoo! Address Book - vCard](#)

## SPONSOR RESULTS BY INTELIUS ([What's This](#))

- **More Information Found in Public Records for David Yang** Curr  
Unlisted Number and Address, Address History, Criminal Check, Law Suits, Judgme  
Bankruptcy, Liens, Property Value, Asset Search, Aliases, Roommates and Relative  
Marriage Records and More.  
[www.intelius.com](http://www.intelius.com)

**Search the Web:** David Yang, San Diego, California

[Advanced We](#)

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